

## APPROVED MEETING MINUTES SOUTH CAROLINA SHORELINE CHANGE ADVISORY COMMITTEE

Topic: Shoreline Planning  
August 20, 2008 – 9:30am-4:00pm

This document is not intended to be a meeting transcript, *per se*. It is a summary of key themes and some (though not all) of the background dialogue. The meeting summary's structure roughly parallels that of the meeting agenda but is not necessarily true to the temporal order of discussion. A digital recording of the meeting is located at SCDHEC-OCRM's Charleston office.

### **In Attendance:**

#### *1) Advisory Committee members:*

Jeff Allen,	Clemson University
Derk Bergquist,	S.C. Department of Natural Resources – <i>alt. for Bob Van Dolah</i>
Sara Brown,	U.S. Army Corps of Engineers
Mark Caldwell,	U.S. Fish & Wildlife Service – <i>alt. for Tim Hall</i>
Jimmy Carroll,	Carroll Realty
Marc Cherry,	Gramling Brothers, Inc.
Mary Conley,	The Nature Conservancy
Paul Conrads,	U.S. Geological Survey
Hamilton Davis,	S.C. Coastal Conservation League
Kirstin Dow,	University of South Carolina
Jill Foster,	Town of Hilton Head Island
Paul Gayes,	Coastal Carolina University
Bob George,	G. Robert George & Associates, Inc.
Tina Hadden,	U.S. Army Corps of Engineers
Scott Harris,	College of Charleston
Norm Levine,	College of Charleston
Jim London,	Clemson University
Chris Mack,	Dewberry, Inc.
Doug Marcy,	NOAA Coastal Services Center – <i>alt. for Jeff Payne/Tara Miller</i>
Jim Morris,	University of South Carolina
Denise Sanger,	S.C. Sea Grant Consortium – <i>alt. for Rick DeVoe</i>
Bob Van Dolah,	S.C. Department of Natural Resources

#### *2) Guest Speakers:*

Scott Liggett,	Town of Hilton Head Island
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#### *3) S.C. Department of Health & Environmental Control:*

Braxton Davis,	OCRM Science & Policy Director
Bill Eiser,	OCRM Staff Oceanographer
Rheta Geddings,	OCRM Enforcement Director
Shawn Kiernan,	OCRM Senior Coastal Planner
Marvin Pontiff,	OCRM Assistant Deputy Commissioner
Melissa Rada,	OCRM Science & Policy Program Coordinator
Matt Slagel,	NOAA Coastal Management Fellow
Elizabeth Von Kolnitz,	OCRM Coastal Planning Director

#### *4) S.C. Office of Human Resources*

Nathan Strong,	Facilitator
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**Welcome / Progress to Date:**

Braxton Davis, Director of OCRM's Science & Policy Division, provided a brief overview of the Shoreline Change Initiative and the purpose of the Advisory Committee. To date, there have been two orientation meetings focused on OCRM authorities and activities, the Committee work plan and process, and shoreline management in other states. The Committee has also examined research and information needs, and South Carolina's policies concerning retreat, beach renourishment, and beachfront erosion control. At the previous meeting on June 20<sup>th</sup>, the Committee revisited the draft policy options that have been developed so far, and the final minutes are now posted on the Shoreline Change Advisory Committee website. The purpose of this meeting is to discuss the role of local governments in beachfront management and planning. The final two topic-oriented meetings will focus on estuarine shoreline erosion control, development, and management. At this stage, the Committee has been exploring different policy options, but the policy options have not been finalized and any of them may be dropped or added at any time. During the final meeting, OCRM will present a proposed timeline / flow diagram for completing the Committee's work, drafting the report, gathering additional public comments, and releasing the final report. The anticipated release of the draft report is Spring 2009, to allow ample time for review before the final report is released later in the year.

**Presentations:**

The following presentations are available on the Shoreline Change Advisory Committee website: [http://www.scdhec.gov/environment/ocrm/science/shoreline\\_comm\\_0808.htm](http://www.scdhec.gov/environment/ocrm/science/shoreline_comm_0808.htm)

***Overview of State and Local Beach Management Planning***

Elizabeth Von Kolnitz and Shawn Kiernan; SCDHEC-OCRM Planning Division

**Question and Answer session:**

Q- Is there a legal and defensible definition of "full and complete" public access?

A- This definition is within South Carolina's Beachfront Management Plan (<http://www.scdhec.gov/environment/ocrm/science/docs/SCAC/SC%20Beachfront%20Management%20Plan.pdf>) - pg 104. As indicated in the table, if an access point has a trash receptacle, walkover or improved surface access, signage, and on-street parking for 6 vehicles, the beach on either side of the access point a distance of 1/8 mile will be considered full and complete access. Additional facilities and parking at an access point can increase the distance on the beach that is considered full and complete access.

Q- Has this definition ever been tested?

A- Yes, it was tested before the recent renourishment project at Wild Dunes on Isle of Palms. As a gated community, Wild Dunes does not qualify as full and complete access, but there were enough parking spaces outside of the

community to determine that ¼ mile of the beach beyond the gate qualified as full and complete public access. Public funding for the renourishment was allowed on this part of the beach.

Q- What is the connection between full and complete public access and public funding for renourishment?

A- State funding for renourishment cannot be obtained without full and complete access. There is a 1:1 fund match if a community has full and complete access; however, if a private area has enough funding to renourish its beaches, there is not necessarily an incentive to increase public access.

Q- What are the differences between local comprehensive plans and the local comprehensive beach management plans?

A- There is no requirement for the local comprehensive plans to include a beach or shoreline planning component. Adopting the local comprehensive beach management plans into the local comprehensive plans could strengthen implementation in terms of zoning decisions, variances, etc.

Q- Do OCRM coastal planning staff look for overlaps in plans (i.e. hazard mitigation plans, flood plain management plans) as they help municipalities develop local comprehensive beach management plans?

A- Yes, hazard mitigation plans and other plans are consulted, and OCRM tries not to duplicate existing efforts.

Q- There are 18 counties and municipalities that are supposed to develop local comprehensive beach management plans. Has there been any incorporation since this list of 18 was created?

A- Not aware of incorporation since list was created. The county is supposed to develop the local comprehensive beach management plan in any unincorporated beach area.

Q- Is the technical assistance provided by OCRM to municipalities sufficient since some have needed to hire consultants to complete their local comprehensive beach management plans?

A- OCRM cannot write the plans so outside consultants are needed occasionally. Alternatively, municipal planners can work on the local comprehensive beach management plans.

Q- The 10 elements that are required in a local comprehensive beach management plan make sense, but how do we retreat?

A- Many people say that retreat is not feasible, so they depend on renourishment instead. The local comprehensive beach management plans make communities consider other options than just renourishment.

Q- Are there any examples of retreat in South Carolina?

A- On Seabrook Island, an old beachfront conference facility was demolished and then rebuilt on the other side of the road. Not aware of many other examples...

Q- It is important to have consistent definitions (i.e. access, setbacks) between local comprehensive plans and local comprehensive beach management plans. How can we improve this?

A- The new plan review and approval process helps with consistency.

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***Beachfront Management on Hilton Head Island***

Jill Foster and Scott Liggett; Town of Hilton Head Island

Chris Creed; Olsen Associates, Inc.

Question and Answer session:

Comment- As a follow up to the previous discussion, the Town of Hilton Head Island adds its local comprehensive beach management plan to the local comprehensive plan as an appendix.

Comment- One goal of Hilton Head Island's beach management program is to prevent the seaward advancement of development; not to necessarily retreat from the shoreline.

Q- Would the Town of Hilton Head Island have a problem with Fripp Island or Daufuskie Island using the sand shoals off of Hilton Head as a source of renourishment sand?

A- The Town of Hilton Head Island has had a partnership with Daufuskie Island in the past. The Town would be happy to discuss economies of scale, and it doesn't claim to have exclusive economic rights to the sand sources immediately offshore.

Q- Have V-zones changed as a result of the renourishment that has occurred on Hilton Head Island? Has the Community Rating System classification number changed?

A- The flood zones are being revised, but they have not yet been finalized. In some cases, open space protected through easements in the beach/dune system (seaward of existing development) has contributed to lower FEMA Community Rating System classifications for discounts on flood insurance. Hilton Head Island currently has a Community Rating of 6. For each number less than 10, there is a 5% premium reduction, which has resulted in a net \$2 million savings cumulatively on the Island.

Q- Have there been any "takings" challenges to Hilton Head's Transition Area or Critical Storm Protection and Dune Accretion Area in South Forest Beach? Has the Town used renourishment as a means to acquire or establish

easements?

A- South Forest Beach has not been legally challenged. The expansion of these zones along the entire beachfront of Hilton Head Island is being discussed at the council level. Regarding renourishment projects, the Town of Hilton Head Island is considered a third party (as opposed to the State or private land owners). The law allows adjacent property owners to claim lands when a third party places sand along the beach. The Town created easements to preclude this by establishing the Mean High Water line prior to the 1990 renourishment project.

Q- Have there been any challenges based on “pre-emption,” in cases where local rules exceed those of the state?

A- No

Q- In the event of a major storm, could/would Hilton Head ask for federal assistance for emergency beach restoration?

A- Hilton Head has “engineered beaches” according to FEMA definitions, so the Town believes that existing FEMA regulations allow for federal assistance.

Q- Has the Transition Area along South Forest Beach been renourished?

A- South Forest Beach is within the limits of past renourishment projects, but the Transition Area itself was not built up with renourished sand.

Q- Have there been any negative impacts on nesting sea turtles due to the buried rock revetment along parts of Hilton Head’s beaches?

A- Not sure of impacts, but another dune has established itself seaward of the buried revetment.

Q- Why is the Town of Hilton Head Island concerned about the possibility of banning all hard erosion control devices in South Carolina?

A- We need a tool in the toolbox to ensure the longevity and performance of renourishment projects, while allowing for the removal of any structures that cause adverse impacts.

Q- Has Hilton Head Island considered beneficial use of dredged material?

A- The Town has been unsuccessful in re-using these resources in the past, but beneficial re-use should be reexamined in light of the state’s sand management policies. Beach disposal is often not the least expensive option. If a project is 100% funded by the U.S. Army Corps of Engineers, it must choose the least expensive disposal method, but a community can pay the difference based on the least cost method to obtain the dredge material.

Comment- A Committee member emphasized that the intent of a regional sand management policy option template would be to complement Hilton Head Island’s beach planning, not hinder it.

***Update from Clemson Team – Beachfront Management Study***

Jim London, Caitlin Dyckman, Jeff Allen; Clemson University

**Question and Answer session:**

Q- According to the survey of state coastal managers, it appeared that two states have prohibited beach nourishment – which ones?

A- Not sure, but will find answer and get back to group.

Q- How will the focus group surveys be targeted?

A- Through local stakeholders (i.e. government officials) and organizations (i.e. chambers of commerce and others).

Q- “Data” is the biggest need according to the survey outcomes – what type of data?

A- Physical data related to shoreline change.

Q- Did the survey focus on beachfront and estuarine shorelines?

A- The survey has focused on beachfront shorelines so far, but the Clemson group will acquire estuarine shoreline information from the seven innovative states that were identified.

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**Facilitated Discussion and Decisions on Policy Options to Explore:**

Nathan Strong, Facilitator for the Shoreline Change Advisory Committee, led the Committee members in a discussion of potential policy options relating to local and state shoreline planning that they would like to explore and develop with draft templates. Six key issues were identified, and all six of these will be developed into full templates as follows:

**NOTE: This DOES NOT infer that any one or all of the Committee members are supportive of any of these ideas at this stage. This exercise was intended to allow for open “brainstorming” of ideas - even ideas that may not seem possible or preferable on the surface, to help foster discussions among the Committee.**

- 1) Promote designation of state and/or local Coastal Barrier Resources Act (CBRA) zones or Special Management Areas to limit development subsidies – THIS IDEA WILL BE INCLUDED IN EARLIER TEMPLATE RE: PUBLIC SUBSIDIES  
- SMALL WORK GROUP LEAD - JIM LONDON

Some issues/ideas that could be addressed in the full template include:

- a. Beachfront and Estuarine?

- b. State vs. Local?
- c. May not want to tie to federal zones because they are subject to federal authority/control/designation
- d. Contact: Steve Kalaf at USFWS in D.C. working on mapping standards for CBRA zones

Subcommittee Lead: Jim London  
Jeff Allen  
Josh Eagle

2) Re-examine “Retreat” policy

Some issues/ideas that could be addressed in the full template include:

- a. What is the goal or intent of the state’s retreat policy and what should it be?
- b. Does the 40-year retreat policy refer to an area, a timeline, a continual process, or one 40-year period?
- c. Implications for existing state and local zones/plans
- d. If retreat is still the policy, what are enforcement/compliance tools once lines are drawn in sand?
- e. Tie retreat into funded renourishment?

Subcommittee Lead: Jill Foster  
Hamilton Davis  
Mary Conley  
Paul Gayes

3) Integrate beach management planning with other planning efforts

Some issues/ideas that could be addressed in the full template include:

- a. Hazard mitigation plans
- b. Post-storm redevelopment plans
- c. Local comprehensive plans

Subcommittee Lead: Kirstin Dow  
Jill Foster  
Norm Levine  
Hamilton Davis

4) Develop consistent key definitions related to beachfront management

Some issues/ideas that could be addressed in the full template include:

- a. Consistency across federal, state, regional, local scales

- b. Legal history of definitions
- c. Are quantified or quantifiable definitions more legally defensible than subjective definitions?
- d. Examples: access, setback, erosion control devices, active beach, retreat, primary frontal dune, etc.

Subcommittee Lead: Bob George  
Paul Conrads

5) Establish shoreline information sharing networks

Some issues/ideas that could be addressed in the full template include:

- a. Status of South Carolina chapter of American Shore and Beach Preservation Association (ASBPA)?
- b. Mayor's Forum / Local Beach Planning Board
- c. Group could be used to leverage funds for studies/projects
- d. Opportunities for sharing local ordinances, approaches, etc.
- e. LiDAR consortium example – follow approach to obtain imagery or other data?

Subcommittee Lead: Mary Conley  
Rick DeVoe  
Sara Brown

6) Link coastal regulations to floodplain ordinances and management

Some issues/ideas that could be addressed in the full template include:

- a. Relationship between coastal flood insurance and flood zone designations
- b. SC DNR map modernization due in 2010
- c. Can erosion and sea level rise be included in flood zone designations?
- d. FEMA contemplating revisions to coastal A-zones..should they be treated as V-zones?
- e. Contact: Lisa Jones, State Flood Mitigation Program Coordinator with DNR, in Columbia, SC

Subcommittee Lead: Tara Miller  
Sara Brown

Any members of the Committee who were absent from this meeting and would like to participate on one or more of the subcommittees are encouraged to contact Braxton Davis and the members in that working group.



**Public Comment Period:**

Rob Rettew of the Hunting Island Beach Preservation Association (HIBPA) updated the Committee on the status of the erosion on Hunting Island. The erosion is continuing, and they are waiting for the end of sea turtle nesting season so they can possibly perform minor maintenance renourishment. Mr. Rettew stressed the importance of public input, and he believes that many members of the public would want to be a part of the Committee process if they realize that they are allowed to. He requests that SCDHEC-OCRM more widely publicize the Committee's work, meeting dates, and opportunities for public comment to get more of the public involved.

Q- How does OCRM publicize the Committee meetings?

A- Through a standard media release process.

Note - We will also publicize future SCAC meetings through the SC Coastal Information Network, which is targeted toward local government officials and stakeholders on coastal issues. All SCAC meetings provide an opportunity for public comment. Expanded public input will be sought during the draft report review period, and the Committee may wish to hold a second public hearing prior to drafting the report. DHEC-OCRM is exceeding all SC Freedom of Information Act requirements for the Advisory Committee by hosting an "interested persons" list serve, sending media releases out at least one week in advance of all meetings, moving meetings to different locations around the state, and hosting a website with all presentations, minutes, and other materials available for public review.

**Future Meeting Schedule:**

Next meeting: **Estuarine Shorelines, part 1; October 17, 2008**

**Place: Green Quad, Learning Center for Sustainable Futures, University of South Carolina, Columbia, SC**

Format: A public comment period will follow presentations and facilitated discussion.

**Next Steps and Agreements:**

1) Committee members who arrived late to the meeting or who were unable to attend are encouraged to get in touch with OCRM to listen to the full audio transcript, which is available in OCRM's Charleston office.

2) Any submitted written public comment materials will be distributed to Committee members. Oral public comments are described in the meeting minutes. All public comments will be available in full at OCRM's Charleston office.

- 3) Prior to the next meeting, OCRM will send the Committee an agenda for the meeting and draft meeting minutes for review.
- 4) Meeting materials including approved minutes, presentations, and public comments will be posted: [http://www.scdhec.gov/environment/ocrm/science/shoreline\\_comm.htm](http://www.scdhec.gov/environment/ocrm/science/shoreline_comm.htm)
- 5) OCRM will provide maps of geographic boundaries of CBRA zones around inlets in South Carolina.
- 6) OCRM will invite Lisa Jones, State Flood Mitigation Program Coordinator with DNR, to speak at the next Committee meeting.